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THE RECOGNITION OF THE HISPANIC AMERICAN NATIONS BY THE UNITED STATES

“Recognition,” said Rivier, in terms that may be applied to the revolutionary era in Hispanic America, “is the assurance given to a new state that it will be permitted to hold its rank and place, in the character of an independent political organism, in the society of nations.” The first occasion when the government of the United States recognized a new state was in 1792 when Secretary Thomas Jefferson instructed Gouverneur Morris, the American minister to France, to treat with the French republic, as that government rested upon the will of the nation. And, upon subsequent occasions, when changes took place in the government of France, the United States furnished her minister in Paris with fresh credentials and thereby accorded recognition to the new governments.

The exact procedure to be followed in the recognition of a new nation was first seriously considered by the government of the United States in the early nineteenth century in connection with the protracted revolution against Spanish rule in America. At that time the American judiciary was not perfectly consistent in its views concerning the proper authority to acknowledge the independence of a new state. In the piracy case of the *United States v. Hutchings*, which involved the question as to whether or not the revolted provinces of la Plata were independent in 1816, Chief Justice Marshall of the United States Supreme Court gave the opinion that before a nation “could be considered independ-

ent by the judiciary of foreign nations, it was necessary that its independence should be recognized by the executive authority of those nations". In 1818, the question regarding the proper authority to recognize a new state was involved in the case of the *United States v. Palmer*. Upon that occasion Marshall said that such questions belonged "more properly to those who declare what that law shall be; who can place the nation in such a position with respect to foreign nations as to their own judgment shall appear wise; to whom are entrusted all its foreign relations". In the same year that the Chilean patriots proclaimed their independence of Spain, it was evidently the opinion of the great chief justice that the power to acknowledge the independence of a new state was vested in the legislative and executive departments of the government of the United States.¹

The revolution, or rather the series of revolutions, which culminated in the separation of the Spanish colonies from the motherland began in 1810. Although economic and political conditions had frequently caused discontent with Spanish rule in America, yet the occasion for the Spanish-American revolution was the policy which Napoleon adopted toward Spain in 1808, especially the deposition of the idolized king, Ferdinand VII., and the announcement that Joseph Bonaparte was king of Spain and the Indies. That usurpation provoked the peninsular Spaniards to organize local *juntas* which governed on behalf of the captive monarch. Shortly afterwards kaleidoscopic scenes took place in continental Spanish America: viceroys and captain generals were oftentimes displaced by provisional *juntas* which, in some respects, imitated the peninsular *juntas*. In 1810 such *juntas* were formed in several cities of the Spanish Indies—*juntas* which loudly professed to govern on behalf of Ferdinand

¹ The opinions in *United States v. Hutchings*, and *United States v. Palmer* can be found respectively in the *Federal Cases*, XXVI. 442; and Wheaton, *Reports of Cases*, III. 634, 644. An illuminating discussion of recognition is found in Rivier, *Principles du droit des gens*, I. 57. On recognition by the United States, see especially Moore, *A Digest of International Law*, I. 72-254; Goebel, *The Recognition Policy of the United States*, in *Studies in History, Economics, and Public Law*, vol. LXVI. no. 1, and Paxson, *The Independence of the South-American Republics* (Philadelphia, 1903). For a detailed discussion by a Spanish-American writer, see García Mérou, *Historia de la Diplomacia Americana*, pp. 258-269.

VII.² Occasionally a Spanish-American *junta* despatched an agent to a neighboring *junta*, and sometimes these *juntas* entered into agreements of a diplomatic nature which took cognizance of their semi-independent character. But as such conventions did not emanate from governments which had themselves been received into the society of nations, in reality they did not affect the international status of the contracting entities. In the early years of the revolution the *juntas* at Caracas and Buenos Aires sent agents to Washington to solicit aid and to make known the significant events which were taking place in Spanish America. Other provisional governments addressed communications to Washington or commissioned agents to plead their cause in the United States.³ There was no possibility, however, that the government of the United States would receive such emissaries officially at a time when the provisional governments in Spanish America had not formally declared themselves independent of the motherland.

The earliest formal declaration of independence from Spain was adopted by delegates from the provinces of the captaincy general of Venezuela, on July 5, 1811, an example which was soon followed by the province of Carthagená in the neighboring vice-royalty of New Granada. The first agent to represent in the United States an Hispanic-American nation which had declared its independence was Telésforo de Orea, who, in April, 1810, had been sent to Washington by the *junta* of Caracas. On July 24, 1811, the new Venezuelan government appointed Orea its special agent to the United States. The instructions to Orea directed him to inform that government of the declaration of independence by the "United Provinces of Venezuela" and to solicit the recognition of the new state.⁴ On November 6, 1811, Orea accordingly addressed a note to Secretary of State James Monroe accompanied by a copy of Venezuela's declaration of independence. In that note Orea expressed the hope that the government

² W. S. Robertson, *Rise of the Spanish-American Republics*, *passim*.

³ W. S. Robertson, "The Beginnings of Spanish-American Diplomacy", in F. J. Turner, *Essays in American History*, pp. 249-252, 261, 262.

⁴ Orea's credentials dated July 27, 1811, are found in State Department MSS., Bureau of Rolls and Library, Papers Relative to the Revolted Spanish Colonies.

of the United States would acknowledge the "new confederation as a free and independent nation."⁵

The decisive action by Venezuela undoubtedly influenced the attitude of the United States toward Spanish America. In President Madison's message to Congress of November 5, 1811, he referred to the scenes which were developing "among the great communities which occupy the southern portion of our own hemisphere". He said that an "enlarged philanthropy and an enlightened forecast" imposed upon the government "an obligation to take a deep interest in their destinies, to cherish reciprocal sentiments of good will, to regard the progress of events, and not to be unprepared for whatever order of things may be ultimately established".⁶ That part of Madison's message was referred to a special committee to which Secretary Monroe also sent by request, Venezuela's declaration of independence. On December 10, 1811, this committee reported a resolution which, however, was not acted upon: that Congress beheld "with friendly interest, the establishment of independent sovereignties by the Spanish provinces in America", that the United States felt "great solicitude for their welfare", and that when those provinces had attained "the condition of nations, by the just exercise of their rights", the Senate and the House would join with the President "in establishing with them, as sovereign and independent States, such amicable relations and commercial intercourse as may require their legislative authority".⁷ When he informed Orea of these friendly sentiments, Secretary Monroe said that the ministers of the United States at European courts had been "made acquainted with the sentiments of their government, and instructed to keep them in view, in their communications, with the courts," where they respectively resided.⁸ In truth, Monroe had already instructed Joel Barlow, the minister

⁵ State Department MSS., Bureau of Indexes and Archives, Notes to Foreign Legations, II.

⁶ Richardson, *A Compilation of the Messages and Papers of the Presidents*, I. 494.

⁷ *American State Papers: Foreign Relations* III. 538, 539.

⁸ Monroe to Orea, December 19, 1811, State Department MSS., Bureau of Indexes and Archives, Notes from Foreign Legations, II.

of the United States to France, that American ministers in Europe were to avail themselves of "suitable opportunities" to promote the acknowledgment of Venezuela's independence by other powers.⁹

It is evident, however, that Secretary Monroe wished to make certain that Venezuela's independence was firmly established before he became the ardent advocate of immediate recognition by the United States. For, in May, 1812, he pointed out that if a counter-revolution took place in Venezuela after his government had acknowledged her independence "the United States would sustain an injury without having rendered any advantage" to the Venezuelan people.¹⁰ Monroe's cautious policy was soon justified; for, in July, 1812, the Venezuelan patriot commander, Francisco de Miranda, capitulated to the royalist commander, Domingo Monteverde, Venezuela again fell under the sway of Spain, and the movement to establish independence in northern South America was checked.¹¹

In accordance with the policy initiated by President Washington, on September 1, 1815, President Madison issued a proclamation of neutrality which warned all citizens of the United States to refrain from enlisting in any military expedition against the Spanish dominions.¹² On the other hand, about the same time, by orders of the secretary of the treasury, vessels from the insurgent Spanish colonies were freely admitted into ports of the United States, regardless of the flag flying from the masthead.¹³ In a special message to Congress on December 26, 1816, President Monroe proposed that the neutrality laws should be modified; on January 14, 1817, the house committee on foreign relations reported a bill which contained more stringent provisions than the existing law in regard to violations of neutrality; and on March 3, that bill entitled "An act more effectually to pre-

⁹ Hamilton, *Writings of James Monroe*, V. 364.

¹⁰ *House Report No. 72, 20th Congress, 2d Session*, pp. 8, 9.

¹¹ W. S. Robertson, "Francisco de Miranda and the Revolutionizing of Spanish America" in the *American Historical Association Report*, 1907, vol. I. pp. 469-481.

¹² *American State Papers: Foreign Relations*, IV. 1.

¹³ Moore, *Digest of International Law*, I. 170-173.

serve the neutral relations of the United States", became a law.¹⁴ On April 20, 1818, that law was superseded by another act which enjoined every citizen of the United States from accepting or exercising any commission within the limits of that country to serve any "foreign prince, state, colony, district, or people" against another nation with which the United States was at peace. This important act also enjoined every citizen of the United States neither to enlist in the military service of a foreign state or colony, nor to equip any ship or privateer to cruise against a foreign nation.¹⁵ These measures were evidently intended to prevent such persons as keenly sympathized with the Spanish-American patriots from committing any unneutral acts against Spain.

Throughout all the fluctuations of the patriot cause in Spanish America, the government of the United States showed a keen interest in its fortunes. As early as 1810, that government sent commercial agents to La Guaira and Buenos Aires. Those agents were instructed to watch the interests of American seamen and to make reports concerning the political condition of South America. At a later date, the United States sent commissioners, or special agents, to various parts of Spanish America who were expected to study conditions in the revolted colonies.¹⁶ The most important mission sent to South America during the first decade of the revolutionary era was that composed of Messrs. Rodney, Graham, and Bland which sailed for Buenos Aires in December, 1817. The instructions of Richard Rush, acting secretary of state, to these commissioners appropriately described the policy of the United States in these words:

It is by success that the colonies acquire new claims on other powers which it may comport neither with their interest nor duty to disregard. Several of the colonies having declared their independence and enjoyed

¹⁴ *The Public Statutes at Large of the United States of America*, III. 370, 371.

¹⁵ *Ibid.*, pp. 447-450.

¹⁶ W. S. Robertson, "The Beginnings of Spanish-American Diplomacy", in Turner, *Essays in American History*, pp. 250, 251, "Documents concerning the Consular Service of the United States in Latin America" in the *Mississippi Valley Historical Review*, II. 561-568; Paxson, *Independence of the South-American Republics*, pp. 106-111, 120-134.

it for some years, and the authority of Spain being shaken in others, it seems probable that, if the parties be left to themselves, the most permanent political changes will be affected. It therefore seems incumbent on the United States to watch the movement in its subsequent steps with particular attention, with a view to pursue such course as a just regard for all those considerations which they are bound to respect may dictate.¹⁷

To the writer it is clear that, during the early stages of the protracted struggle for the emancipation of the American colonists from Spanish rule, the policy of the United States was to investigate conditions in the revolted colonies, to maintain her neutrality in the war between Spain and the revolutionists, and to watch any developments which might enable her to take steps favorable to the nascent states.

The changing status of Spanish America was brought forcibly before American statesmen through the declaration of independence from Spain by "the United Provinces of South America", which was adopted at Tucumán on July 9, 1816, by a congress of delegates from certain provinces of the former viceroyalty of la Plata.¹⁸ On September 26, 1816, the members of that congress adopted a resolution which declared that relations between their nation—ordinarily styled the United Provinces of la Plata—and foreign powers should be improved and provided that an agent should be sent to the United States to solicit the acknowledgment of their independence.¹⁹ In accordance with that action in March, 1817, Supreme Director Juan Martín de Pueyrredón appointed Manuel Hermenegildo de Aguirre, a patriotic merchant of Buenos Aires, the agent of his government to the United States.²⁰ Pueyrredón's commission to Aguirre provided that the latter should take whatever steps might promote the liberty of the United Provinces.²¹ At the same time Bernardo O'Higgins, who had just become supreme director of Chile, authorized Aguirre to secure frigates to be used in the struggle for the libera-

¹⁷ As quoted by Paxson, *Independence of the South-American Republics*, p. 123.

¹⁸ *Registro oficial de la república Argentina*, I. 366.

¹⁹ *Ibid.*, p. 381.

²⁰ *Annals of Congress, 15th Congress, 1st Session*, II. 1879, 1880.

²¹ Palomeque, *Orígenes de la Diplomacia Argentina*, I. 194.

tion of South America.²² With letters from O'Higgins, Pueyrredón, and San Martín to the President of the United States, Aguirre soon departed on his mission.²³ Upon his arrival in that country, Aguirre pleaded with Secretary Adams for the recognition of the United Provinces of la Plata as an independent nation.²⁴

The proceedings of the independent government at Buenos Aires evidently stimulated President Monroe in the end of October, 1817, to lay before his cabinet the following queries:

Has the Executive power to acknowledge the independence of new States whose independence has not been acknowledged by the parent country, and between which parties a war actually exists on that account?

Will the sending, or receiving a minister to a new State under such circumstances be considered an acknowledgment of its independence?

Is such acknowledgment a justifiable cause of war to the parent country? Is it a just cause of complaint to any other power?

Is it expedient for the U States, at this time, to acknowledge the independence of Buenos Ayres, or of any other part of the Spanish dominions in America now in a state of revolt?²⁵

The members of Monroe's cabinet were evidently reluctant to discuss those significant queries. Secretary of State Adams maintained that it was not then expedient for the President to acknowledge the independence of the United Provinces of la Plata.²⁶ On later occasions, partly for reasons of policy, Adams sometimes induced Monroe to assume a conservative attitude toward the new states of Spanish America.²⁷ Probably the clearest statement of the cardinal principles upon which he thought the government of the United States should act was made by Secretary Adams in a letter to President Monroe dated August 24, 1818, when considering the recognition of the United Provinces of la Plata:

²² *Ibid.*, II. 123; *Documentos del Archivo de San Martín*, VIII. 184-187.

²³ *Annals of Congress, 15th Congress, 1st Session*, II. 1878-1882.

²⁴ Adams, *Memoirs of John Quincy Adams*, IV. 30, 39-41.

²⁵ Hamilton, *Writings of James Monroe*, VI. 31.

²⁶ Adams, *Memoirs of J. Q. Adams*, IV. 13-16.

²⁷ *Ibid.*, pp. 156, 164-168.

But there is a stage in such contests when the parties struggling for independence have, as I conceive, a right to demand its acknowledgment by neutral parties, and when the acknowledgment may be granted without departure from the obligations of neutrality. It is the stage when independence is established as a matter of fact so as to leave the chance of the opposite party to recover their dominion utterly desperate. The neutral nation must, of course, judge for itself when this period has arrived; and as the belligerent nation has the same right to judge for itself, it is very likely to judge differently from the neutral and to make it a cause or pretext for war. . . . If war thus results in point of fact from the measure of recognizing a contested independence, the moral right or wrong of the war depends upon the justice, and sincerity, and prudence with which the recognizing nation took the step. I am satisfied that the cause of the South Americans, so far as it consists in the assertion of independence against Spain, is *just*. But the justice of a cause, however it may enlist individual feelings in its favor, is not sufficient to justify third parties in siding with it. The fact and the right combined can alone authorize a neutral to acknowledge a new and disputed sovereignty. The neutral may, indeed, infer the right from the fact, but not the fact from the right. If Buenos Ayres confined its demand of recognition to the provinces of which it is in actual possession, and if it would assert its entire independence by agreeing to place the United States upon the footing of the most favored nation . . . I should think the time now arrived when its Government might be recognized without a breach of neutrality.²⁸

On January 1, 1819, Secretary Adams prepared new instructions for the American minister at London in which he stated that the United States was contemplating the recognition of the United Provinces of la Plata "at no remote period".²⁹ The cabinet was soon informed of the President's intention "at no remote period" to acknowledge the independence of the government at Buenos Aires. Secretary Crawford took the view that such recognition should be made by sending a minister to South America; for the Senate would have to act upon the nomination, and thus

²⁸ "Memorandum upon the Power to Recognize the Independence of a New Foreign State," *Senate Document, No. 56, 54th Congress, 2nd Session*, pp. 52, 53; Moore, *Digest of International Law*, I. 78, 79; cf. Ford, *The Writings of John Quincy Adams*, VI. 442, 443. See further, Hamilton, *Writings of James Monroe*, VI. 72.

²⁹ Paxson, *Independence of the South-American Republics*, pp. 158, 159.

sanction the measure. Secretary Wirt added that the House of Representatives would also have to concur by providing an appropriation therefor. While President Monroe declared that, as those bodies had the power of impeachment, "it would be quite convenient to have them thus pledged beforehand". But Adams took a different view. He thought that it was not consistent with national dignity "to be the first in sending a Minister to a new power. . . . If an exchange of Ministers was to take place, the first should come" from Spanish America. Adams declared that instead "of admitting the Senate or House of Representatives to any share in the act of recognition", he "would expressly void that form of doing it which would require the concurrence of those bodies. It was, I had no doubt, by our Constitution, an act of the Executive authority." Adams argued that "the Executive ought carefully to preserve entire the authority given him by the Constitution, and not weaken it by setting the precedent of making either House of Congress a party to an act which it was his exclusive right and duty to perform."³⁰

In the halls of Congress Henry Clay acted as the champion of the Spanish-American patriots upon several occasions. In an eloquent speech on March 25, 1818, in the debate upon his proposal to appropriate money for a minister to the United Provinces of la Plata he called attention to "the immensity and character" of the country which Spain was attempting to subjugate:

Stretching on the Pacific Ocean from about the 40th degree of north latitude to about the 55th degree of south latitude, and extending from the mouth of the Rio del Norte (exclusive of East Florida) around the Gulf of Mexico, and along the South Atlantic to near Cape Horn, it is about 5,000 miles in length, and in some places near three thousand in breadth. Within this vast region, we behold the most sublime and interesting objects of creation; the loftiest mountains, the most majestic rivers in the world; the richest mines of the precious metals, and the choicest productions of the earth. We behold there a spectacle still more interesting and sublime—the glorious spectacle of eighteen millions of people, struggling to burst their chains and to be free.³¹

³⁰ Adams, *Memoirs of John Quincy Adams*, IV. 204, 205, 206.

³¹ *Annals of Congress, 15th Congress, 1st Session*, II. 1476.

With regard to the foreign policy of the United States, Clay declared that her "uniform practice" had been to recognize the government *de facto*. Clay reasoned that as soon as "stability and order" were maintained in a new nation the United States "ought to consider the actual as the true Government". He argued that the United Provinces of la Plata had established a firm government. "Not a Spanish bayonet" remained within the former viceroyalty of la Plata "to contest the authority of the actual government."³² Clay's oratory did not convince Congress that the time had arrived to acknowledge the independence of the Platean provinces but it incited a debate there concerning the respective parts which the executive and legislative departments of the government should respectively take in the recognition of colonies that had separated from the motherland.³³ On February 10, 1821, that question was again raised in connection with Clay's resolution that the House

participates with the people of the United States in the deep interest which they feel for the success of the Spanish provinces of South America, which are struggling to establish their liberty and independence; and that it will give its Constitutional support to the President whenever he may deem it expedient to recognize the sovereignty and independence of any of the said provinces.

Various opinions were expressed in regard to the constitutionality and the expediency of that measure.³⁴ Ultimately Clay's resolution was carried, and a committee was appointed to lay the matter before the President.³⁵

Monroe evidently considered this action as an endorsement of the policy which had been followed by the administration. "The object of the executive has been," said Monroe in an inedited memorandum, "to throw the moral weight of the United States into the scale of the revolutionary movement, without such a deep compromitment, as to make them a party on that side. With that view the mission to Buenos Ayres was adopted, all

³² *Ibid.*, p. 1492.

³³ *Ibid.*, p. 1500 ff.

³⁴ *Annals of Congress, 16th Congress, 2nd Session, I.* 1081 ff.

³⁵ *Ibid.*, pp. 1091, 1092.

the messages to Congress were drawn, and other measures have been since pursued."³⁶

Early in 1819 the government of the United States realized that a change in its policy toward Spanish America could scarcely take place while it was negotiating with the Spanish government for the cession of the Floridas. During those negotiations Spain suggested that an article should be inserted in the projected treaty stipulating that the United States would not acknowledge the independence of her revolted colonies. Secretary Adams refused to give such a pledge.³⁷ Although a treaty providing for the cession of the Floridas to the United States was signed on February 22, 1819, yet the absolute king, Ferdinand VII., delayed ratifying it. In April, 1820, the Spanish envoy at Washington attempted in vain to secure from Secretary Adams—as a condition of ratification by his government—a pledge that the United States would “form no relations with the pretended Governments of the revolted provinces of Spain situate beyond sea,” and that it would “conform to the course of proceeding adopted, in this respect, by other Powers in amity with Spain.”³⁸ Not until after the revolution of 1820—when Spain became a limited monarchy under the constitution of 1812—having been authorized by the Cortes as required by that constitution,³⁹—did Ferdinand VII. in October, 1820, ratify the Florida treaty.⁴⁰ The ratifications of that treaty were exchanged on February 22, 1821.

By the end of that year the Spanish-American revolutionists had made significant progress against the royalists. Liberated from Spanish domination, Chile was under the rule of her dashing revolutionary hero, Bernardo O'Higgins. At Lima, on July 28, 1821, General José de San Martín—the austere chieftain whose march across the Andes will ever live in the annals of military history—

³⁶ “Shall the vote be reconsidered?” Monroe Papers (Library of Congress), VI.

³⁷ Adams, *Memoirs of John Quincy Adams*, IV. 115, 116, 199, 200, 209.

³⁸ *American State Papers: Foreign Relations*, IV. 680, 681.

³⁹ *Actas de las Sesiones Secretas de las Cortes Ordinarias y Extraordinarias de los Años, 1820 y 1821*, p. 19.

⁴⁰ *American State Papers: Foreign Relations*, V. 281.

had proclaimed the independence of Peru. A congress at Buenos Aires had promulgated a constitution for the United Provinces of la Plata. Agustín de Iturbide, the author of the sagacious Plan of Iguala—which proclaimed independence from Spain, adherence to the Roman Catholic religion, and the abolition of caste distinctions—had separated Mexico from Spain by a bloodless revolution. The most formidable military and political giant of Hispanic America, Simón de Bolívar, had decisively defeated the royalists upon the plains of Carabobo and a congress at Cúcuta had framed a constitution for the republic of Colombia, which was often designated “Great Colombia”—a republic that eventually embraced the former captaincy general of Venezuela, the presidency of Quito, and the viceroyalty of New Granada.⁴¹ Through the reports of correspondents in the new states and by the representations of their agents, the government at Washington was duly informed of the achievements of the Spanish-American patriots. Early in January, 1822, Iturbide, who had become the head of a provisional government, addressed a letter to the President of the United States informing him of the appointment of Eugenio Córtes as Mexican agent to that country.⁴² Colombia pleaded for aid through its chargé d'affaires, Manuel Tórres, a patriot who was residing in the United States.⁴³

Early in 1822—partly because of the achievements of the Spanish-American patriots, and partly because of the ratification of the Florida treaty—President Monroe and Secretary Adams felt that conditions were ripe for the acknowledgment of Spanish-American independence. At that juncture there was in or near Washington only one diplomatic agent of the new states, Manuel Tórres, who had already proposed to Adams that the United States should acknowledge Colombia as a nation independent of Spain.⁴⁴ On January 18, 1822, Adams informed

⁴¹ W. S. Robertson, *Rise of the Spanish-American Republics*, *passim*.

⁴² Iturbide to the President of the United States, January 8, 1822, State Department MSS., Bureau of Indexes and Archives, Notes from Mexican Legation, I.

⁴³ *American State Papers: Foreign Relations*, IV. 833, 834; Cadena, *Anales Diplomáticos de Colombia*, pp. 110-122.

⁴⁴ *American State Papers: Foreign Relations*, IV. 832-835; Cadena, *Anales Diplomáticos de Colombia*, pp. 143-150.

Torres that President Monroe was seriously contemplating recognition.⁴⁵ Ten days later Adams instructed Charles S. Todd, who had served as an agent of the United States in Colombia, to prepare to return to that country. "It is probable," said the secretary, "that the formal recognition of the Republic of Colombia will ensue at no distant day."⁴⁶ The trusted assistant secretary of state, Daniel Brent, soon wrote to John M. Forbes, the faithful consul of the United States at Buenos Aires:

Upon a call from the House of Representatives respecting the state of affairs in the South American Governments, with a view to the propriety and expediency of a formal acknowledgment of them on our part, we are preparing a report to the President, which will include extracts, not very voluminous, from some of your recent dispatches—
I know not how the cat jumps in relation to this great question; but am apt to believe that a discretionary power will be given to the President, to acknowledge, or not, according to his view of circumstances, the sovereignty and Independence of any or all of these Governments.⁴⁷

The "call" to which Brent referred, was made on January 30, 1822, when the House asked President Monroe to lay before it the correspondence with the Spanish-American governments, as well as information respecting "the political condition" of the new American nations and "the state of the war between them and Spain."⁴⁸

To that request Monroe responded with a special message to Congress, on March 8, 1822. With this message was sent a letter from John Quincy Adams transmitting communications from agents of the United States in Spanish America and documents illustrative of conditions in la Plata, Chile, Peru, Colombia, and Mexico. In his message Monroe reviewed the policy of the United States toward the Spanish-American revolution. He declared that those five nations were "in the full enjoyment of

⁴⁵ *Annals of Congress, 17th Congress, 1st Session, II.* 2099.

⁴⁶ Adams to Todd, January 28, 1822, State Department MSS., Bureau of Indexes and Archives, Despatches to Consuls, II.

⁴⁷ Brent to Forbes, February 19, 1822, *ibid.*, in part in Paxson, *Independence of the South-American Republics*, pp. 170, 171.

⁴⁸ *Annals of Congress, 17th Congress, 1st Session, I.* 825, 828.

their independence; that there was "not the most remote prospect of their being deprived of it"; and that the new governments had now

a claim to recognition by other Powers, which ought not to be resisted. . . . When we regard, then, the great length of time which this war has been prosecuted, the complete success which has attended it in favor of the provinces, the present condition of the parties, and the utter inability of Spain to produce any change in it, we are compelled to conclude that its fate is settled and that the provinces which have declared their independence, and are in the enjoyment of it, ought to be recognized.

Monroe affirmed that the delay of the United States in recognition had furnished "an unequivocal proof" to Spain, as well as to other powers, of the high respect entertained by the United States for her rights. He reasoned that the spread of the revolution over Spanish America would reconcile Spain to a separation from her colonies. He said that the United States wished to act in concert with the nations of Europe in regard to the acknowledgment of Spanish-American independence. He declared that it was not his government's intention to alter the friendly relations existing between the United States and the belligerent countries, but to observe "the most perfect neutrality between them". The President suggested, if the legislative department concurred in his view, that Congress would "doubtless see the propriety of making the necessary appropriations for carrying it into effect".⁴⁹

As soon as Joaquín de Anduaga, the Spanish minister in the United States, heard of Monroe's message to Congress of March 8, he wrote a vigorous protest to Adams declaring that the condition of Spain's revolted colonies did not entitle them to recognition: "Where . . . are those governments which ought to be recognized? where the pledges of their stability? . . . where the right of the United States to sanction and declare legitimate a rebellion without cause, and the event of which is not even decided?" He affirmed that the recognition of the

⁴⁹ *American State Papers: Foreign Relations*, IV. 818, 819.

revolted Spanish provinces by the United States could "*in no way now, or at any time, lessen or invalidate in the least the right of Spain to said provinces*", or the right to employ any means in her power "*to reunite them to the rest of her dominions*".⁵⁰ Adams replied on April 6, 1822. He maintained that the Spanish-American revolution had reached the stage in which the colonies had established their independence in fact. He declared that the United States had

yielded to an obligation of duty of the highest order. This recognition . . . is the mere acknowledgment of existing facts, with the view to the regular establishment with the nations newly formed of those relations, political and commercial, which it is the moral obligation of civilized and Christian nations to entertain reciprocally with one another.⁵¹

On March 12, Anduaga sent to his government a copy of Monroe's message and of his protest. He denounced the "perfidy and the effrontery" of the United States which, after having secured the cession of Florida from Spain, had by that message virtually announced her decision to recognize the independence of Spain's revolted colonies.⁵²

That message much provoked the liberal government of Spain. The Spanish secretary of state, Francisco Martínez de la Rosa, spoke warmly on the subject to John Forsyth, the American ambassador at Madrid. On April 22, 1822, Martínez de la Rosa sent identical despatches to the ambassadors of Spain at Paris, London, and St. Petersburg directing them to protest vigorously to the governments to which they were accredited against the policy of recognition proposed by President Monroe. On April 25, 1822, Spain's secretary of state addressed instructions to her ambassadors in France, Prussia, Austria, Russia, England, Sweden, Holland, and Denmark informing them that his government desired to counteract the effects of Monroe's message. On May 6, 1822, Martínez de la Rosa addressed identical instructions to

⁵⁰ *Ibid.*, pp. 845, 846.

⁵¹ *Ibid.*, p. 846.

⁵² Anduaga to Martínez de la Rosa, March 12, 1822, Archivo General de Indias, Estado, América en General, 5.

the ambassadors in London, Paris, Vienna, St. Petersburg, and Berlin directing them to prevent the governments to which they were accredited from taking any step to recognize "the *de facto* governments existing in the dissident provinces of America". About the same time that secretary addressed to Spain's ambassadors at twelve European courts a manifesto explaining the policy of the Spanish government toward the revolted colonies—a manifesto which alluded to the recognition policy of the United States proposed in Monroe's message as a violation of Spain's rights and a defiance of the sacred principle of legitimacy.⁵³

In the meantime Monroe's proposal was being discussed in Congress. Mr. Taylor rightly said that the "Message referred to a great extent of country".⁵⁴ The committee on foreign relations, to which the message was referred, reported on March 19, 1822, that the Spanish-American nations were in fact independent. It based the expediency of the acknowledgment of their independence upon that fact. An apprehension that such action might injuriously affect the peaceful relations of the United States with the nations of the Old World was lightly dismissed; and the hope was expressed that those nations might follow the example of the United States. Unanimously the committee declared that it was "just and expedient to acknowledge the independence of the several nations of Spanish America"; hence two resolutions were proposed: first, that the House should concur with the President that the American provinces of Spain which had declared and were enjoying their independence "ought to be recognized by the United States as independent nations"; and, second, that the committee of ways and means should report a bill appropriating a sum to enable the President "to give due effect to such recognition".⁵⁵ On March 21, 1822, the *National Intelligencer* said:

The Report of the committee of the House of Representatives on the subject of the South American governments, to which we have given

⁵³ W. S. Robertson, "The United States and Spain in 1822," in the *American Historical Review*, XX. 786-791.

⁵⁴ *Annals of Congress, 17th Congress, 1st Session, I. 1242.*

⁵⁵ *Ibid.*, II. pp. 1314-1320.

place today, is a document worthy of the subject and of the body whence it emanates. It is at once an admirable, a conclusive document.

Two days later *Niles Register* declared

we are very certain that this able and important state paper will afford more pleasure to our readers than anything else that it was in our power to offer them. Its sentiment is, undoubtedly, in full accordance with the wishes of the American people.

The report of the committee on foreign relations provoked an animated debate in the House. David Trimble of Kentucky enthusiastically declared that the proposal for the acknowledgment of Spanish-American independence was

a Message of good tidings to twenty millions of freemen. . . . Shall the last of the Revolutionary heroes leave the high station which he fills, without officiating, in his robes of office, at the baptism . . . of all the new Republics in America? . . . Let us boldly fill up our page of destiny, and leave no blank for after-time to write an execration of our memory. Let us make the acknowledgment at once . . . and laugh the fear of despots into scorn.⁵⁶

Joel R. Poinsett suggested another phase of the situation: he wisely said that Spain would be loath to abandon the hope of reconquering her American colonies; he asserted that the motherland would not acknowledge the independence of those colonies until other European powers did so, and even intimated that she might view recognition by the United States "as an unfriendly, perhaps as a hostile act".⁵⁷ After a slight change in the phraseology of the first resolution, on March 28, it was carried by a vote of 167 to one.⁵⁸ The only opponent was Mr. Garnett, who afterwards explained his attitude on the ground that such a general announcement of policy by Congress might be dangerous.⁵⁹ The second resolution passed unanimously. A bill soon passed the House which made an appropriation for diplomatic missions

⁵⁶ *Ibid.*, pp. 1383, 1394.

⁵⁷ *Ibid.*, pp. 1400-1402.

⁵⁸ *Ibid.*, p. 1403.

⁵⁹ *Ibid.*, pp. 1518-1525.

to the independent nations south of the United States.⁶⁰ After some hesitation, caused by the news that the Spanish Cortes had expressed its disapproval of the acknowledgment of the independence of the revolted colonies by foreign nations,⁶¹ the Senate also approved the bill. On May 4, 1822 Monroe signed that bill which appropriated \$100,000 to defray the expenses of "such Missions to the independent nations on the American continent" as the President might deem proper.⁶²

This important act was an announcement by the government of the United States of its intention to acknowledge the independence of the revolted colonies of Spain in America. With the exception of the Portuguese monarchy seated at Rio de Janeiro,⁶³ the United States was the first member of the society of nations to extend the hand of fellowship to a Spanish-American state.

The messages and papers of President Monroe demonstrate that he had considered the policy of recognition from many points of view. His apprehension in regard to the reception which this policy would be accorded by the Holy Alliance was reflected in a letter to Jonathan Russell on March 12, 1822, in these words:

A doubt arises in my mind whether it will be politic to give any *distinguished* eclat to the recognition until we see its effect on the powers of Europe, who will, I have great cause to presume, be much excited by the measure from its bearing on *legitimacy*.⁶⁴

Monroe's opinion that the United States was in a dilemma with regard to Spanish America was expressed in a letter to Jefferson on March 14, in which he said:

There was *danger* in standing *still* or moving *forward*, of a nature in both instances, which will readily occur to you. I thought that it was the wisest policy, to risk that, which was incident to the latter course, as

⁶⁰ *Ibid.*, pp. 1444, 1518, 1530.

⁶¹ Adams, *Memoirs of John Quincy Adams*, V. 489.

⁶² *Statutes at Large of the United States*, III. 678.

⁶³ *Registro Oficial de la República Argentina*, I. 569, 570; Pereira da Silva, *História da Fundação do Império Brasileiro*, II. 280.

⁶⁴ Hamilton, *Writings of James Monroe*, VI. 211.

it comported more with the liberal and magnanimous spirit of our country than the other.⁶⁵

Again, when speaking of the Spanish-American states in a letter to Madison on May 10, Monroe said:

The time had certainly arrived when it became our duty to recognize, provided it was intended to maintain friendly relations with them in future, and not to suffer them, under a feeling of resentment towards us, and the artful practices of the European powers, to become the dupes of their policy.⁶⁶

And, in an inedited memorandum in the Monroe Papers, the President declared:

The U States having recognized the Independence of the new govts. in this hemisphere, to the South, on a thorough conviction that they could sustain it, and on a presumption, that the considerations which induced that measure would soon have great weight with other powers, and with the parent country itself, it has become the object of this government, to promote that result, by amicable negotiations, with every power with whom a diplomatic intercourse is preserved. . . . Our position in this hemisphere bounded as we are by the new States, and connected in commerce with both parties, and as well with the European dominions, as with the remaining American possessions of the parent country, we have been, and still are from many causes, more deeply interested in that event, than any other people.⁶⁷

While Congress was debating the acknowledgment of the independence of the new states, the cabinet was considering what steps should eventually be taken in formal recognition. On April 19, Adams declared that the best course would be to receive the Colombian chargé and to reciprocate when the new governments sent ministers to Washington.⁶⁸ After the House of Representatives had approved his message, on April 22, 1822, Monroe informed Adams that he was willing to receive Tórres as chargé

⁶⁵ *Ibid.*, pp. 213, 214.

⁶⁶ *Ibid.*, p. 285.

⁶⁷ Memorandum of Monroe (undated), Monroe Papers (Library of Congress), VI.

⁶⁸ Adams, *Memoirs of John Quincy Adams*, V. 492.

d'affaires of Colombia.⁶⁹ Not until May 23, however, did Adams write to Tórres as follows:

I have the honor of informing you, by direction of the President of the United States, that he will receive you in the character of chargé d'affaires from the Republic of Colombia, whenever it may suit your convenience, and be compatible with the state of your health to repair to this place for that purpose.⁷⁰

Tórres replied on June 8, from Hamiltonville, near Philadelphia; he expressed his pleasure at the prospect of a measure "so agreeable and interesting" for his government and "so flattering" for himself, but regretted that his poor health would not permit him to visit Washington at once.⁷¹ On June 18, Tórres informed Adams of his arrival at the capital in poor health but ready to visit the state department immediately.⁷² On June 19, 1822, Adams accordingly presented Tórres, as chargé d'affaires from Colombia to President Monroe. Adams declared that Tórres, who had

scarcely life in him to walk alone, was deeply affected by it. He spoke of the great importance to the republic of Colombia of this recognition, and of his assurance that it would give extraordinary gratification to Bolivar.

President Monroe sat down beside Tórres,

and spoke to him with kindness which moved him even to tears. The President assured him of the great interest taken by the United States in the welfare and success of his country, and of the particular satisfaction with which he received him as its first representative.⁷³

Manuel Tórres was thus the first diplomatic agent from the Hispanic-American nations to be received officially by the govern-

⁶⁹ *Ibid.*, p. 495.

⁷⁰ Adams to Tórres, May 23, 1822, State Department MSS., Bureau of Indexes and Archives, Notes to Foreign Legations, III.

⁷¹ Tórres to Adams, June 8, 1822, *ibid.*, Notes from Colombian Legation, I.

⁷² Tórres to Adams, June 18, 1822, *ibid.*

⁷³ Adams, *Memoirs of John Quincy Adams*, VI. 23. See further *Memoria de la Secretaría de Estado y Relaciones Exteriores de la República de Colombia*, de 1823, p. 9; *National Intelligencer*, June 20, 1822.

ment of the United States:—the reception of the invalid chargé of Colombia was the first formal act of recognition by the United States of an American nation which had severed its connection with Old World monarchies.

On April 23—the day after President Monroe had signified to Secretary Adams his intention to receive Tórres officially—Adams wrote to José M. Herrera, the Mexican secretary of foreign affairs, to announce the President's willingness to receive an envoy from Mexico.⁷⁴ But the government of the United States soon became somewhat reluctant to acknowledge Mexican independence; for in May, 1822, Agustín de Iturbide, the liberator of Mexico, was proclaimed emperor with the title of Agustín I. A short time afterwards, Joel R. Poinsett was sent by President Monroe to Mexico City to collect information concerning the condition of the Mexican empire.⁷⁵ But the government at Washington could not long defer recognition; for, in September, 1822, Emperor Agustín I. appointed José Manuel Zozaya, a lawyer and a member of his council of state, minister plenipotentiary to Washington. Zozaya was instructed to propose treaties of friendship, alliance, commerce, and adjustment of boundaries between Mexico and the United States. In particular was he to solicit the government of the United States to recognize Mexico—which, at that time included the territories stretching from the parallel of fifty-two degrees north latitude to the Isthmus of Panama—as independent of Spain and under the rule of the newly-created dynasty.⁷⁶ From Baltimore, on December 3, 1822, the Mexican minister wrote to Adams to make known his arrival in the United States.⁷⁷ On December 10, 1822, Zozaya wrote again, to announce his arrival at Washington; he sent to the secretary of state a copy of his credentials, and expressed a desire soon to meet him.⁷⁸ At once Adams responded

⁷⁴ *La Diplomacia Mexicana*, I. 73, 74.

⁷⁵ Poinsett to Monroe, July 20, 1822, Monroe Papers (Library of Congress), XX.

⁷⁶ *La Diplomacia Mexicana*, I. 76–84.

⁷⁷ Zozaya to "Exmo. Sor.," December 3, 1822, State Department MSS., Bureau of Indexes and Archives, Notes from Mexican Legation, I.

⁷⁸ *Ibid.*

that he would be "happy to see" Zozaya at the department of state on December 11.⁷⁹ On December 12, 1822, Adams presented Zozaya to President Monroe as envoy extraordinary and minister plenipotentiary from the Mexican empire.⁸⁰ That ceremony constituted the formal acknowledgment of the independence of Mexico by the United States.

Recognition by the United States of other Spanish-American nations which evidently were included within the purview of the law of May 4, 1822, was consummated by the appointment of diplomatic agents to those republics. When considering such appointments, Secretary Adams interpreted this law to mean that Congress had authorized diplomatic missions to five independent American states.⁸¹ The choice of ministers to those nations was discussed early in 1823 by Monroe and Adams. On January 9, the latter recorded in his diary that the President had determined to send ministers to Mexico, Colombia, la Plata, and Chile, besides a chargé d'affaires to Peru.⁸² Four days later President Monroe sent to the Senate the nomination of Caesar A. Rodney of Delaware "as Minister Plenipotentiary of the United States at Buenos Ayres",⁸³—an appointment which was confirmed by the Senate on January 27 following.⁸⁴ On January 20, 1823, Monroe sent to the Senate the nomination of Heman Allen of Vermont as Minister Plenipotentiary of the United States to Chile;⁸⁵ this nomination was also confirmed on January 27.⁸⁶ On January 13, 1823, Monroe also nominated John M. Prevost as chargé d'affaires of the United States to Peru, but that nomination was soon withdrawn:⁸⁷ on April 11, 1826,

⁷⁹ Adams to Zozaya, December 10, 1822, *ibid.*, Notes to Foreign Legations, III.

⁸⁰ The *National Intelligencer*, December 13, 1822; *La Diplomacia Mexicana*, I. 94.

⁸¹ Adams, *Memoirs of John Quincy Adams*, VI. 101.

⁸² *Ibid.*, p. 122.

⁸³ Journal of the Executive Proceedings of the Senate of the United States of America, III. 320.

⁸⁴ *Ibid.*, p. 327.

⁸⁵ *Ibid.*, p. 325.

⁸⁶ *Ibid.*, p. 327.

⁸⁷ *Ibid.*, p. 320.

President Adams nominated James Cooley of Ohio as chargé d'affaires of the United States to Peru;⁸⁸ this appointment was confirmed by the Senate on May 2, 1826.⁸⁹

Thus, by a series of acts, the United States recognized the five Spanish-American nations included within the scope of the act of May 4, 1822. The United States also acknowledged the independent status of another nation which came into existence in the third decade of the nineteenth century. After the downfall of Emperor Agustín I, certain provinces of Central America separated from Mexico and on July 1, 1823, proclaimed their independence—a movement which was not opposed by Mexico.⁹⁰ Antonio José Cañaz was soon appointed envoy extraordinary and minister plenipotentiary from the United Provinces of the Center of America to the United States. In July, 1824, Cañaz appeared in Washington.⁹¹ On August 4, 1824, Minister Cañaz was presented by Secretary Adams to President Monroe,⁹² and thus the independence of Central America was acknowledged by the United States.

The recognition policy of the United States which resulted in the interchange of diplomatic missions between that nation and several Hispanic-American states was by Spain brought to the attention of the Holy Alliance.⁹³ An epitome of Russia's response to Spain's manifesto of protest was evidently sent by Russia to Baron Tüyl, her ambassador at Washington.⁹⁴ On October 16, 1823, Baron Tüyl informed Secretary Adams of the Czar's satisfaction with Monroe's declaration that in the acknowledgment of the independence of the Spanish-American states, his government would not depart from neutrality. With special reference to the republic of Colombia, Tüyl also informed Adams

⁸⁸ *Ibid.*, p. 528.

⁸⁹ *Ibid.*, p. 534.

⁹⁰ *La Diplomacia Mexicana*, II. pp. 216-232.

⁹¹ Adams to Cañaz, July 10, 1824, State Department MSS., Bureau of Indexes and Archives, Notes to Foreign Legations, III.

⁹² Adams, *Memoirs of John Quincy Adams*, VI. 405, 406.

⁹³ W. S. Robertson, "The United States and Spain in 1822", in the *American Historical Review*, XX. 787-796.

⁹⁴ Ford, *John Quincy Adams: His Connection with the Monroe Doctrine*, pp. 27, 31.

that the Czar and his allies in accordance with their doctrine of legitimacy, would not receive an agent from any of the *de facto* governments of Spanish America.⁹⁵ On November 15, 1823, Secretary Adams responded in these trenchant words:

Influenced by the considerations which prescribe it as a duty to independent nations to entertain with each other the friendly relations which sentiments of humanity and their mutual interests require, and satisfied that those of South America had become irrevocably independent of Spain, the Government of the United States thought it proper to acknowledge their independence in March, 1822, by an Act which was then published to the world. This Government has, since, interchanged Ministers with the Republic of Colombia, has appointed Ministers of the same rank to the Governments of Mexico, Buenos Ayres, and Chile, has received a Minister and other Diplomatic Agents from Mexico, and preserved, in other respects, the same intercourse with those new States that they have with other Powers.

By a recurrence to the Message of the President, a copy of which is enclosed, you will find that this measure was adopted on great consideration; that the attention of the Government had been called to the contest between the Parent Country and the Colonies, from an early period, that it had marked the course of events with impartiality, and had become perfectly satisfied that Spain could not re-establish her authority over them: that, in fact, the new States were completely independent.⁹⁶

Several nations which did not appear distinctly upon the map of South America during Monroe's age were recognized subsequently. At the opening of the fourth decade of the nineteenth century, Venezuela and Ecuador had separated from Colombia. Before the remaining nucleus had adopted a new name or a new constitution, on September 28, 1831, the government of Colombia seated at Bogotá accredited Domingo Acosta as chargé d'affaires and consul general to the United States.⁹⁷ Acosta arrived in this country shortly after a constituent congress at Bogotá had adopted a provisional constitution for the state of New Granada.

⁹⁵ *Ibid.*, p. 32; see also p. 30.

⁹⁶ Adams to Tuyl, November 15, 1823, State Department MSS., Bureau of Indexes and Archives, Notes to Foreign Legations, III.

⁹⁷ *House Document No. 173, 22d Congress, 1st Session*, p. 6.

The reception of Domingo Acosta as chargé d'affaires by the government of the United States on January 2, 1832,⁹⁸ may accordingly be considered the acknowledgment of the distinct and independent status of New Granada, especially as Acosta represented that state until September, 1835, before presenting new credentials.⁹⁹ Venezuela was acknowledged as an independent nation by the grant of an *exequatur* to her consul at New York, Nicolas D. C. Moller, on February 28, 1835.¹⁰⁰ Ecuador's independence was acknowledged by the United States through the appointment on June 9, 1838, of J. C. Pickett as chargé d'affaires to the Peru-Bolivian Confederation: it being understood by the President and the Senate when this appointment was made that Pendleton should be authorized to proceed first to Quito in order to negotiate a commercial treaty with the Ecuadorean government.¹⁰¹ Some years after the independence of *la Banda Oriental del Uruguay* had been guaranteed by a treaty between Argentina and Brazil, the United States acknowledged the independent status of Uruguay by issuing an *exequatur* to John Darby, her consul-general at New York City, on July 1, 1834.¹⁰² Several years after the disruption of the Peru-Bolivian Confed-

⁹⁸ Domingo Acosta to the Secretary of State, Dec. 31, 1831, Jan. 8, 1832, State Department MSS., Bureau of Indexes and Archives, Notes from New Granada, I.; Secretary Livingston to Acosta, Jan. 6, 1832, *ibid.*, Notes to New Granada, III. See also *Register of the Department of State for 1874*, p. 109; Rivas, *Relaciones Internacionales entre Colombia y los Estados Unidos, 1810-1850*, p. 46. The writer is grateful to Dr. J. F. Jameson of the Department of Historical Research of the Carnegie Institution who personally secured data from the archives of the state department concerning New Granada, Venezuela, and Uruguay which enabled him to determine the time when the United States acknowledged those nations as independent powers.

⁹⁹ Uribe, *Anales Diplomáticos y Consulares de Colombia*, III. 68; Hasse, *Index to United States Documents relating to Foreign Affairs, 1828-1861*, part 1, p. 395.

¹⁰⁰ State Department MSS., Bureau of Appointments, Record of Exequaturs, III. 12. See also "Memorandum on the Method of 'Recognition' of Foreign Governments and Foreign States by the Government of the United States, 1789-1897", in *Senate Document No. 40, 54th Congress, 2nd Session*, p. 13; cf. *Exposición que dirige al Congreso de Venezuela en 1835 el Secretario de Relaciones Exteriores*, p. 6.

¹⁰¹ *Senate Executive Journal*, V. 118-120.

¹⁰² State Department MSS., Bureau of Appointments, Record of Exequaturs, II. 241.

eration, on March 30, 1848, the independent status of Bolivia was acknowledged by the appointment of John Appleton as chargé d'affaires from the United States to that republic.¹⁰³ As there was evidently some doubt in official circles at Washington concerning the condition of Paraguay—which had gradually assumed an independent status—it was not until after a special agent, E. A. Hopkins, had visited Asunción, that the government of the United States decided upon the recognition of that nation. This step was finally taken by virtue of credentials issued by President Fillmore and Secretary Webster on April 27, 1852, to J. S. Pendleton, chargé d'affaires of the United States to the Argentine republic—credentials which empowered him to negotiate a treaty with Paraguay.¹⁰⁴

During the same decade that the United States decided to acknowledge Spanish-American independence, she also recognized the empire of Brazil. The separation of Brazil from the motherland was promoted by the usurpations of Napoleon in the Iberian peninsula. Junot's invasion of Portugal forced the dynasty of Braganza in November, 1807, to sail from Lisbon for Rio de Janeiro. Several years after his arrival in Brazil, the regent, Prince John, proclaimed that Brazil was a kingdom.¹⁰⁵ In April, 1821, that ruler, who had become King John VI., sailed from Rio de Janeiro for Lisbon, leaving his son Pedro as regent of Brazil.¹⁰⁶ In September, 1822, Pedro proclaimed Brazil's independence of Portugal; and, on October 12, he was acclaimed emperor of Brazil with the title of Pedro I.¹⁰⁷ On January 21, 1824, Luis de Carvalho e Mello, Pedro's minister of foreign affairs, appointed José Silvestre Rebello chargé d'affaires to Washington.¹⁰⁸ In instructions to Rebello, dated January 31, 1824, Carvalho e Mello said that the United States because of national

¹⁰³ *Senate Executive Journal*, VII. 358, 360; see further *The Diary of James K. Polk*, III. 410, 412.

¹⁰⁴ *Historia Documentada de las Cuestiones entre el Gobierno del Paraguay y el de los Estados Unidos*, pp. 22, 23.

¹⁰⁵ *Collecção das Leis do Brazil de 1815*, pp. 62-63.

¹⁰⁶ Oliveira Lima, *Don Joao VI no Brazil*, II. 1130.

¹⁰⁷ Pereira da Silva, *Historia da Fundação do Imperio Brasileiro*, III. 122-129.

¹⁰⁸ *Collecção das Leis do Brazil de 1824*, part 2, p. 4.

interest, and because of her enunciation of the Monroe Doctrine, "ought to recognize the independence of the empire of Brazil".¹⁰⁹

On April 5, 1824, Rebello announced to Secretary Adams his arrival in Washington, he sent a copy of his credentials, and expressed the hope that that secretary would appoint a day and an hour for their meeting.¹¹⁰ On the following day, Monroe's cabinet carefully considered whether or not the independence of the empire of Brazil should be acknowledged by the reception of Rebello as chargé d'affaires. Secretary Wirt doubted the expediency of recognition; Calhoun warmly favored such action, arguing that the United States had recognized the independence of the Mexican empire by the reception of a minister from Agustín I; while Adams held that there were stronger reasons for the recognition of Brazil than there had been for the recognition of the Spanish-American nations. President Monroe averred that the recognition of the Brazilian empire would make the acknowledgment of Spanish-American independence less offensive to the Holy Alliance. But the cabinet did not feel that it had been authoritatively informed respecting the status of Brazil; hence, on April 7, Adams informed Rebello that no official documents had been received from the Brazilian government in regard to the political transformation of that country, and he asked this agent to send him "a written statement of the facts, accompanied by document vouchers, with translations".¹¹¹ On April 20, Rebello accordingly sent to Adams a note accompanied by a memoir entitled, "Succinct and true exposition of the facts that led the Prince, now Emperor, and the Brazilian People, to declare Brazil a free, and independent Nation". This exposition closed with a request that the government of the United States should acknowledge Brazil's independence. In the accompanying note, Rebello also urged that the United States should send a diplomatic agent to Rio de Janeiro at once.¹¹²

¹⁰⁹ Rio Branco, "O Brazil, os Estados Unidos e o Monroismo", in *Revista Americana*, III. p. 475.

¹¹⁰ Rebello to Adams, April 5, 1824, Notes from Legations, Brazil, I.

¹¹¹ Adams, *Memoirs of John Quincy Adams*, VI. 281-283.

¹¹² Rebello to Adams, April 20, 1824, State Department MSS., Bureau of Indexes and Archives, Notes from Legations, Brazil, I.

On April 29, Rebello sent to Adams another note asking for recognition and arguing that the acknowledgment of the independence of the Spanish-American republics by the United States constituted a precedent for the recognition of Brazil.¹¹³

Rebello's insistence bore good fruit. As the President felt that Brazil was really independent, and as he did not wish to postpone recognition until after Congress adjourned, on May 22, he and Adams agreed that Rebello should be received early in the following week.¹¹⁴ Three days later, Adams wrote to Rebello to state that he would "have the honor of presenting him in his character of chargé d'affaires to the President of the United States, at one o'clock to-morrow, the 26th of May".¹¹⁵ Under this date, John Quincy Adams wrote the following passage in his precious diary:

At one o'clock I presented M. José Silvestre Rebello to the President as Chargé d'Affaires from the Emperor of Brazil. He made a short address in English, which he speaks indifferently, and which the President answered with kindness, as usual. The friendship and harmony between the two countries formed the theme of these discourses, and Mr. Rebello promised grateful recollection that the Government of the United States has been the first to acknowledge the independence of Brazil.¹¹⁶

Rebello's reception on May 26, 1824, constituted the recognition of the Brazilian empire by the United States. But as Portugal had not acknowledged Brazil's independence, that ceremony soon provoked a "vehement" and "passionate" protest from Joaquim Barrozo Pereira, the Portuguese chargé d'affaires at Washington.¹¹⁷ In his reply, dated June 9, 1824, Secretary Adams amply justified the policy of recognition which the United States had adopted toward the Hispanic-American nations. Adams declared that the reception of Rebello

¹¹³ Rebello to Adams, April 29, 1824, *ibid.*

¹¹⁴ Adams, *Memoirs of John Quincy Adams*, VI. 317-319, 348.

¹¹⁵ Pereira Pinto, *Apointamentos para o Direito Internacional, ou collecção completa dos tratados celebrados pelo Brazil com diferentes nações estrangeiros*, II. 389.

¹¹⁶ Adams, *Memoirs of John Quincy Adams*, VI. 358, 359.

¹¹⁷ *Ibid.*, pp. 372, 373.

was, in no wise intended as an act unfriendly to the Government or people of Portugal. It was the recognition of a Government existing in fact. . . .

The United States have never encouraged and supported the differences between the European powers and their possessions in America, nor have they availed themselves of any such differences to take by force to themselves, any part of those possessions. In recognizing as independent States, some of the countries which had been Spanish Colonies, they have done no more than has been done by His Majesty the King of Portugal, himself. The recognition of the Independence of those States was, in no wise induced by any existing differences between the United States and Spain; nor was it deemed, in any manner incompatible with her sovereign rights. Such was the opinion of the Portuguese Government itself, with reference to the Ex-colonies of Spain; and such, by an application of the same principles, must it ultimately be, as is presumed, with regard to its own relations with Brazil. The negotiations between the United States and the Portuguese Government at Lisbon, having for their object the commercial relations between the United States and Portugal, cannot be unfavorably affected by the recognition of the Independence of Brazil. Nor is it expected that the Allies of His Majesty, the King of Portugal, any more than the United States, will pretend to the right which they explicitly disclaim, or to exercise the power of fixing, irrevocably, the term when the legitimate rights of Sovereigns should be abandoned without appeal, or arrested in defiance of the fact. . . .

Faithful to the principle that every Independent people have the right to form, and to organize their government as to them shall seem best, in the pursuit of their own happiness, and without encroaching upon the rights of others, they have recognized the Brazilian Government, as existing in fact, and exercising all the authorities essential to the maintenance of the usual relations between the United States and other foreign Independent Powers.¹¹⁸

This study shows that the government of the United States acknowledged the independence of certain Hispanic-American nations by the concerted action of the President and Congress. In accordance with the recommendation in President Monroe's

¹¹⁸ Adams to Barrozo Pereira, June 9, 1824, State Department MSS., Bureau of Indexes and Archives, Notes to Foreign Legations, III. See also W. S. Robertson, "The First Legations of the United States in Latin America", in *The Mississippi Valley Historical Review*, II, 209, 210.

message of March 8, 1822, Congress passed the law of May 4, which appropriated money for the establishment of diplomatic missions in certain Spanish-American countries. The policy announced in that act was also used to justify the acknowledgment of Brazil's independence. In spite of the emphatic protests of European monarchies in regard to her policy of recognition, the United States proceeded to carry out that policy. By the official reception accorded to Tórres and Zozaya in 1822, the North-American Republic formally acknowledged the independence of Colombia and Mexico; and by the reception of Cañaz and Rebello about two years later, that republic recognized Central America and Brazil. By the appointment of Allen, Cooley, and Rodney to serve as diplomatic agents in South America the United States acknowledged the independence from Spain of the modern states of Chile, Peru, and Argentina. The independent status of other South-American nations was subsequently recognized by the reception of a diplomatic agent at Washington, by the authorization of diplomatic missions to those nations, or by the grant of *exequaturs* to their consuls in the United States. Aside from the fact that they considered the independence of several Spanish-American nations to be established beyond dispute, North-American statesmen were influenced by the idea that it was time for the United States to foster commercial and political relations with the new states; they were animated by the belief that recognition by the United States would encourage the Spanish-American patriots, and by the hope that this example might induce certain European powers to recognize the new family of states. The policy of the government of the United States toward Brazil and the Spanish-American nations during the age of Adams and Monroe promoted the development of an international policy of recognition—a policy which repudiated the European policy of legitimacy and heralded the principle that, when a new state had established its independence *de facto*, it ought to be admitted into the society of nations. At a critical juncture in world politics the Republic of the North accordingly acted as the sponsor for the rising nations of Hispanic America.

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